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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,299	08/10/2000	Moshe B Rubin	43426.00040	6533

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EXAMINER

MAHMOUDI, HASSAN

ART UNIT PAPER NUMBER

2175

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/636,299

Applicant(s)

RUBIN ET AL.

Examiner

Tony Mahmoudi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOV POPOVICI

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's Request for Continued Examination (RCE) submission filed on 01-July-2004 has been entered. In addition, the amendment filed on 01-July-2004 has been entered for the continued examination of this application.
2. In response to communications filed on 01-July-2004, the independent claims 1, 10, and 19-20 are amended per applicant's request. Therefore, claims 1-28 are presently pending in the application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1, 5-8, 10, 14-17, and 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranganathan (U.S. Patent No. 5,754,170) in view of Mast (U.S. Patent No. 5,881,287.)

As to claims 1 and 19, Ranganathan teaches a method for preventing copying of proprietary digital image data that is displayed on a computer monitor, comprising:

providing screen pixel data to a frame buffer (see column 6, lines 3-8, see column 13, lines 3-7, and see column 18, lines 28-29) for rendering on a computer monitor (see column 5, line 64 through column 6, line 8), the screen pixel data including pixel data for a proprietary digital image (see column 4, lines 10-23);

detecting an event that a window is going to be displayed on the computer monitor (see column 7, lines 21-36);

determining the position and size of the window (see column 8, lines 52-64);

determining, based on the position and size of the window, a portion of the screen pixel data that is going to be covered by the window (see column 8, lines 44-51, and see column 10, lines 12-67);

replacing at least the portion of the screen pixel data with substitute pixel data prior to the window being displayed (see column 14, lines 57-67);

Ranganathan does not teach:

displaying the substitute pixel data; and

displaying the window over at least a portion of the substitute pixel data.

Mast teaches a system of copy protection for images (see Abstract), in which he teaches replacing at least the portion of the screen pixel data with substitute pixel data

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prior to the window being displayed (see figure 8, and see column 3, lines 25-36, and see column 10, line 66 through column 11, line 1, where “replacing” is read on “filling the region”); displaying the substitute pixel data (see figure 8, and see column 10, line 53 through column 11, line 5); and displaying the window over at least a portion of the substitute pixel data (see figure 8, drawing 800C.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan to include displaying the substitute pixel data; and displaying the window over at least a portion of the substitute pixel data.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan by the teachings of Mast, because displaying the substitute pixel data; and displaying the window over at least a portion of the substitute pixel data, would enable the system to intercept efforts to copy/move protected data/image by letting the user know the “protected” status of the data/image by displaying a window and filling the window with substitute data, as taught by Mast (see column 3, lines 25-36, and see column 10, line 66 through column 11, line 1.)

As to claims 5 and 14, Ranganathan as modified teaches wherein the detecting detects that a new window is going to be opened (see Ranganathan, column 7, lines 21-36.)

As to claims 6 and 15, Ranganathan as modified teaches video graphic systems (see Ranganathan, column 1, lines 8-10). It is inherent that in the video graphic system environment, the video graphic controller detects that an existing window is going to be enlarged.

As to claims 7 and 16, Ranganathan as modified teaches video graphic systems (see Ranganathan, column 1, lines 8-10). It is inherent that in the video graphic system environment, the video graphic controller detects that an existing window is going to be maximized.

As to claims 8 and 17, Ranganathan as modified teaches video graphic systems (see Ranganathan, column 1, lines 8-10). It is inherent that in the video graphic system environment, the video graphic controller detects that an existing window is going to be moved from behind another window to in front of the other window, by activating the background window.

As to claims 10 and 20, Ranganathan teaches a system for preventing copying of proprietary digital image data that is displayed on a computer monitor, comprising:

a frame buffer for storing screen pixel data to be displayed on a computer monitor (see figure 4, see column 6, lines 3-8, see column 13, lines 3-7, and see column 18, lines 28-29), the screen pixel data including pixel data for a first window having proprietary digital image (see column 4, lines 10-23);

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an event detector detecting that a window is going to be displayed on the computer monitor (see column 7, lines 21-36);

a window processor for determining the position and size of the window (see column 8, lines 52-64), and for determining, based on the position and size of the window, a portion of the screen pixel data that is going to be covered by the window (see column 8, lines 44-51, and see column 10, lines 12-67);

a pixel processor for replacing at least the portion of the screen pixel data with substitute pixel data prior to the window being displayed (see column 14, lines 57-67); and

for the teachings of “a display processor for displaying the screen pixel data and the substitute pixel data, and for displaying the window over at least a portion of the substitute pixel data”, the applicant is directed to the remarks and discussions made in claim 1 above.

As to claims 21, 23, 25, and 27, Ranganathan as modified teaches wherein the portion of the screen pixel data includes all pixel data that is going to be covered by the window (see Mast, column 3, lines 25-36, and see column 10, line 53 through column 11, line 3.)

As to claims 22, 24, 26, and 28, Ranganathan as modified teaches wherein the portion of the screen pixel data includes fewer than all pixel data that is going to be covered by the window (see Mast, Abstract; see column 3, lines 37-49, and see

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column 11, lines 3-5, where “fewer than all pixel data” is read on “selected portions of an image”.)

5. Claims 2-4 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranganathan (U.S. Patent No. 5,754,170) in view of Mast (U.S. Patent No. 5,881,287), as applied to claims 1, 5-8, 10, 14-17, and 19-28 above, and further in view of Spilo et al (U.S. Patent No. 6,298,422.)

As to claims 2 and 11, Ranganathan as modified still does not teach further comprising registering an application to include a system-wide hook in order to monitor window events occurring within a windows operating system, and wherein the detecting comprises receiving notification of a window event from the windows operating system.

Spilo et al teaches a memory reduction program in Windows operating system (see Abstract), in which he teaches registering an application to include a system-wide hook (see column 3, lines 48-67) in order to monitor window events (see column 4, lines 14-27, and see column 5, lines 27-59) occurring within a windows operating system (see column 9, lines 7-8), and wherein the detecting comprises receiving notification of a window event from the windows operating system (see column 10, lines 20-22.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan as modified, to include registering an application to include a system-wide hook in order to monitor

window events occurring within a windows operating system, and wherein the detecting comprises receiving notification of a window event from the windows operating system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan as modified, by the teachings of Spilo et al, because registering an application to include a system-wide hook in order to monitor window events occurring within a windows operating system, and wherein the detecting comprises receiving notification of a window event from the windows operating system, would enable the system to operate within the Windows operating system and utilize the system-wide hooks made available by Windows.

As to claims 3 and 12, Ranganathan as modified teaches wherein the system-wide hook is a Windows CBT hook (see Spilo et al, column 3, lines 48-67.)

As to claims 4 and 13, Ranganathan as modified teaches herein the system-wide hook is a Windows CallWndProc hook (see Spilo et al, column 3, lines 48-67.)

6. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranganathan (U.S. Patent No. 5,754,170) in view of Mast (U.S. Patent No. 5,881,287), as applied to claims 1, 5-8, 10, 14-17, and 19-28 above, and further in view of Sugiyama et al (U.S. Patent No. 6,289,137.)

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As to claims 9 and 18, Ranganathan as modified still does not teach wherein the substitute pixel data is white pixel data.

Sugiyama et al teaches an image processing apparatus and method (see Abstract), in which he teaches wherein the substitute pixel data is white pixel data (see column 7, lines 25-27.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan as modified, to include wherein the substitute pixel data is white pixel data.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan as modified, by the teaching of Sugiyama et al, because wherein the substitute pixel data is white pixel data, would prevent the image density as a whole from becoming dense, as taught by Sugiyama et al (see column 7, lines 28-31.)

Response to Arguments

7. Applicant's arguments filed on 01-July-2004 with respect to the rejected claims in view of the cited references have been fully considered but they are not deemed persuasive:

In response to the applicant's arguments that "the present invention concerns modification of a display screen prior to display of a window", the arguments have been fully considered but are not deemed persuasive, because Ranganathan teaches

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“manipulation of the pixel data before it is visually displayed on a screen” (see column 11, lines 53-57. In addition, Mast teaches “blocking the copying of designated images by means of “hooks” into the operating system or operating environment, by identifying all regions on the video device that contain a protected image and exclude these regions from any operation that transfers data from the video display memory” (see column 3, lines 40-49.)

In response to applicant’s arguments that the present invention “prevents the window from absorbing copy protected image data into its background, in case the window is defined so as to have a transparent background”, the arguments have been fully considered but are not deemed persuasive, because as explained in response to the previous arguments, both Ranganathan and Mast teach modification (manipulation and/or blocking) of pixel data before displaying of a window. Further, because the examiner notes that *“preventing the window from absorbing copy protected image data into its background, in case the window is defined so as to have a transparent background”* are not recited in the rejected claims. Although the claims are interpreted in light of the specification and in view of the applicant’s arguments, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to the applicant’s arguments that “the limitations of:
replacing at least the portion of the screen pixel data with substitute pixel data prior to the window being displayed;

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displaying the substitute pixel data; and

displaying the window over at least a portion of the substitute pixel data."

Are neither shown nor suggested in Ranganathan, Mast, Spilo or Sugiyama, taken individually or in combination", the arguments have been fully considered but are not deemed persuasive in view of the remarks and discussions made in response to the above arguments, as well as the discussions made in rejection of the independent claims 1, 10, and 19-20 above.

Conclusion

8. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

August 24, 2004


DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100